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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/812,905

03/31/2004

Jun Hyung Park

LT-0056

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EXAMINER

BAE, JI H

ART UNIT

PAPER NUMBER

2115

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/812,905

Applicant(s)

PARK ET AL.

Examiner

Ji H. Bae

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 24-58 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Election/Restrictions***

Applicant's election with traverse of species 1 (claims 1-23) in the reply filed on 30 October 2006 is acknowledged. The traversal is on the ground(s) that the subject matter of the species specified in the original office action is sufficiently related that a thorough search and examination of the entire application could be made without serious burden. This is not found persuasive because the species specified in the original office action contain subject matter which would require separate classification.

Species 1 (claims 1-23) is drawn towards booting an application/OS on a portable computer system based on whether the computer is in a notebook or tablet configuration at boot time. Species 2 and 3 (claims 24-47) are drawn towards configuring an input device or a logic device for a portable computer system at boot time based on whether the computer is in a notebook or tablet configuration. Species 4 (claims 48-58) is directed towards adjusting a performance or power consumption for a portable computer system based on whether the system is configured in a notebook configuration or a tablet configuration.

Species 1 is properly classified under class 713, subclass 2, as an invention that is drawn to loading an initialization program (e.g., booting, rebooting, warm booting, remote booting, BIOS, initial program load, etc). Species 2 and 3 are properly classified under class 713, subclass 1 or subclass 100, as an invention that is drawn towards establishing an original operating parameter or data for a computer or digital data processing system, or as an invention for changing a system setting or an operational mode after it has been set. Species 4 is properly classified under class 713, subclass 300, as an invention that is drawn towards modifying an amount of power used by a digital data processing system or a system response

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to available power, including power reduction, powering-up systems, powering-down systems, etc.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-11, and 14-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kojo, U.S. Patent Application Publication No. 2004/0140967 A1.

Regarding claim 1, Kojo teaches a portable computer having a configuration that allows a system mode to be switched between a notebook computer mode and a tablet computer mode [Fig. 1-3, Fig. 6]; and

a controller configured to determine the configuration of the portable computer unit responsive to a system power supply of the portable computer being turned on [Fig. 4, panel status detector 47, paragraph 30], wherein the controller operates an application program for the tablet computer mode or the notebook computer mode according to the determination [paragraph 46, OS runs as tablet mode or notebook mode].

Regarding claim 2, Kojo teaches that the controller enables a different corresponding operating system for the tablet computer or the notebook computer [see claim 1 rejection].

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Regarding claim 3, Kojo teaches a display module whose rotation state allows the system to be switched from the notebook computer mode or the tablet computer mode [paragraph 30].

Regarding claim 4, Kojo teaches a detector comprising a rotation detection switch based upon a mechanical contact [paragraph 30, panel status detector detects rotation state of hinge, as well as open/shut state of display], and controller configured to detect state of the switch.

Regarding claims 7 and 8, Kojo teaches that the controller selects and boots an operating system for a tablet computer or notebook computer when the detected rotation state of the display module corresponds to the tablet computer mode or a notebook computer mode, respectively [claim 1 rejection].

Regarding claim 9, Kojo teaches that the controller determines a physical configuration of the portable computer unit [rotation state of display, paragraph 30].

Regarding claim 10, the claim is rejected on similar grounds as claim 1 and 2.

Regarding claim 11, the claim is rejected on similar grounds as claim 4.

Regarding claims 14 and 15, the claims are rejected on similar grounds as claims 7 and 8.

Regarding claims 16-20, the claims are rejected on similar grounds as claims 1, 3, 4, 7, and 8.

Regarding claims 21-23, the claims are rejected on similar grounds as claims 10, 14, and 15.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojo.

Regarding claims 5, 6, 12, and 13, Kojo teaches a panel status detector [Fig. 4, panel status detector 47], a keyboard controller [KBC 42], a south bridge [South Bridge 43], an I/O controller [South Bridge, paragraph 29], and a BIOS [BIOS ROM 49]. It would have been obvious to one of ordinary skill in the art to integrate the panel status detector with any one of the keyboard controller, south bridge, I/O controller, or BIOS ROM as a matter of design choice.

Conclusion

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lee, U.S. Patent No. 6,327,653 B1;

Yen et al., U.S. Patent No. 6,711,004 B2;

Hunt et al., U.S. Patent Application Publication No. 2004/0027337 A1;

Doczy et al., U.S. Patent No. 6,788,527 B2;

Anlauff, U.S. Patent No. 6,903,927 B2;

Hawkins et al., U.S. Patent No. 6,366,935 B2;

Shimano, U.S. Patent No. 6,771,494 B2;

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Goodrich et al., U.S. Patent No. 5,375,076;

Du et al., U.S. Patent Application Publication No. 2004/0006690 A1;

Du et al., U.S. Patent Application Publication No. 2003/0188144 A1;

Hawkins et al., U.S. Patent No. 5,200,913;

Hulme et al., U.S. Patent No. 2003/0204708 A1;

Cho et al., U.S. Patent No. 6,654,826 B1;

Chang et al., U.S. Patent No. 7,148,877 B2;

Yu et al., U.S. Patent Application Publication No. 2002/0162444 A1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ji H. Bae whose telephone number is 571-272-7181. The examiner can normally be reached on Monday-Friday, 10 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

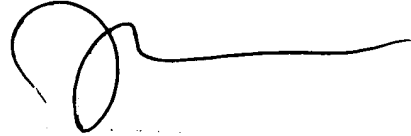
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner
Art Unit 2115
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A handwritten signature in black ink, consisting of a stylized 'J' and 'B' followed by a horizontal line.